

☐ Current    ☒ Proposed

<b>Classification Title</b> Legal Counsel	<b>Division/Unit</b> Legal Division
<b>Working Title</b> Legal Counsel	<b>IT Domain</b> (if applicable)
<b>Position Number</b> 363-400-5798-XXX	<b>Effective Date</b>
<b>Name</b> Vacant	<b>Date Prepared</b> March 4, 2019

## CalHR Mission and Vision

The California Department of Human Resources (CalHR) is responsible for all issues related to employee salaries and benefits, job classifications, civil rights, training, exams, recruitment and retention. For most employees, many of these matters are determined through the collective bargaining process managed by CalHR.

**Our Vision:** To be the premier leader and trusted partner in innovative human resources management.

**Our Mission:** To provide exceptional human resources leadership and services with integrity, respect and accountability to state departments and all current and prospective employees.

## General Statement

Under the direct supervision of an Assistant Chief Counsel (ACC), and under the general supervision of the Chief Counsel and Deputy Chief Counsel, the Legal Counsel is an entry-level attorney performing the less difficult legal representation of CalHR and other state departments in various areas of labor and employment law. Duties include, but are not limited to, the following:

## Job Functions

[Essential (E) / Marginal (M) Functions]:

- 60% Assist in and conduct less difficult arbitrations regarding collective bargaining agreement disputes, and less difficult hearings in administrative forums such as, but not limited to unfair practice charges and representation issues before the Public Employment Relations Board, personnel actions before the State Personnel Board, and non-merit statutory appeals before CalHR's Statutory Appeals Unit. (E)
- 20% Research and analyze less difficult legal issues, and communicate legal advice and opinions, in both written and oral form to internal CalHR divisions and client departments in various areas of law, including but not limited to labor and employment law. (E)
- 10% Prepare bill and other legislative analyses; assist or respond to Public Records Act requests; draft and/or revise policies, proposed legislation, and proposed regulations. (E)

- 5% Assist in and conduct civil litigation in state and federal court, in such matters as petitions to compel arbitration, petitions to vacate arbitration decisions, petitions for writ of mandates regarding departmental decisions, laws, or rules, and court actions arising from litigation in administrative forums. (E)
- 5% Perform other duties as required consistent with division needs. (M)

## **Supervision Received**

The Legal Counsel reports directly to and receives the majority of their assignments from the ACC; however, direction and assignments may also come from the Chief Counsel and the Deputy Chief Counsel. The Assistant Chief Counsel makes assignments, monitors priorities and deadlines, and assists the incumbent in determining issues and identifying resources. The incumbent plans and carries out successive steps and resolves problems and deviations in accordance with instructions, policies, and accepted practices. The supervisor reviews the work for substance, technical adequacy and conformance with practice, policy, and the law.

## **Supervision Exercised**

None.

## **Special Requirements / Desirable Qualifications**

The duties of this position are performed indoors. The employee's workstation is located at 1515 "S" Street building and is equipped with standard or ergonomic office equipment, as appropriate. Travel may be required to attend meetings or training classes.

Active membership of the State Bar of California is required.

The Legal Counsel is expected to communicate effectively, have an ability to pay attention to details, and be flexible in changing work assignments and meeting timelines and deadlines with little to no notice.

The Legal Counsel will be required to regularly travel throughout the state, which may include going to correctional facilities, state hospitals, and other state facilities. Travel requirements may include overnight travel.

The Legal Counsel is expected to operate standard office equipment such as, but not limited to a personal computer (desktop or laptop), copier and scanning equipment, word processing software, document management software, and billing software. The Legal Counsel may be required to carry and/or move case materials such as files, documents, boxes, and books.

## **Working Conditions**

The duties of the Legal Counsel are primarily performed indoors, but may require work outdoors as needed to investigate or prepare cases for hearing, and other job-related duties. The Legal Counsel may also be required to work varied hours and in excess of 40 hours per week to perform the functions of the job and to meet timelines, including, as needed, working on weekends and/or holidays.

## **Attendance**

Must maintain regular and acceptable attendance at such level as is determined at the Department's sole discretion. Must be regularly available and willing to work the hours the Department determines are necessary or desirable to meet its business needs.

**I have read and understand the duties listed above and I can perform these duties with or without reasonable accommodation.\*** (If you believe reasonable accommodation is necessary, discuss your concerns with the hiring supervisor. If unsure of a need for reasonable accommodation, inform the hiring supervisor, who will discuss your concerns with the Personnel analyst.)

*\*A Reasonable accommodation is any modification or adjustment made to a job, work environment, or employment practice or process that enables an individual with a disability or medical condition to perform the essential functions of his or her job or to enjoy an equal employment opportunity.*

Duties of this position are subject to change and may be revised as needed or required.

<b>Employee Signature</b>	<b>Employee Printed Name</b>	<b>Date</b>
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I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

<b>Supervisor Signature</b>	<b>Supervisor Printed Name</b>	<b>Date</b>
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